



# RECORDS RETENTION SCHEDULE



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**STATE AGENCY RECORDS  
RETENTION SCHEDULE**

Justice and Public Safety  
Office of the Parole Board

Series	Records Title		Contents	Retention		
	and Description	Function and Use		Disposition Instruction		
04480	Tapes of Preliminary Hearings - (Audio) - (Recorded by Administrative Law Judges) (N) NA (V)	This series documents the actual proceedings of preliminary hearings and is recorded by the Administrative Law Judge conducting the hearings, as required in KRS 439.330. Hearings are requested by respective parole officers and are arranged by administrative staff of the Parole Board. The purpose of the hearing is to determine if probable cause exists to believe that a parole violation has occurred. If a parolee has been arrested by the parole officer, he must be served with notice of hearing within 72 hours of the arrest and a hearing must be held within 14 days. In addition to the parolee, those present at the hearing may include the parole officer, attorney for the parolee, and any witnesses who may have been subpoenaed to appear. The Administrative Law Judges retain custody of the tapes until a summation of the findings is made (see Series 04881). At that time the tapes are transferred to staff of the Parole Board for further retention. In some cases, staff of the Board will be ordered to transcribe entire proceedings for use in lawsuits. There are two administrative law judges for the state who conduct between 35 and 40 hearings per month.	Series contains name of parolee; date of parole; violations parolee is being charged with; place of confinement; location of hearing; name of parole officer; attorney of record; findings of fact, mitigation and conclusions of law	Agency: 3 years	Records Center: NA	Archives Center: NA
				Destroy, or erase and reuse tape		
04541	Victim Notification Program Files (Y) KRS 61.878 (1) (a), if hearing is closed Change Date: 9/14/1995	This series documents the process by which victims of felony crimes input to the parole process, as required in KRS 439.340 (5) and (6). Pursuant to statute, the Parole Board must notify victims of felony crimes of the scheduled parole hearing date. Prior to a decision by the Board to parole an inmate, the victim of the related crime is given the opportunity to comment in person, by requesting a hearing (before the Board), or in writing on all issues relating to the parole. Victims have the option of requesting a closed or open hearing, in the case of A, B, or C class felonies. Hearings on Class D felonies must be open because the Board is not required to notify victims of pending parole hearings for this class of offenses. All victim comments must be received for consideration by the Board approximately seven days in advance of the hearing. Victim input is retained by program staff for use in current or subsequent parole hearings.	Series contains: Notification of Expiration of Sentence; Victim Impact Statement; Victim Hearing Sign-In Sheet; Request for Victim Hearing	Agency: Indefinite	Records Center: NA	Archives Center: NA
				Transfer to the Department of Corrections, Offender Records Section, for inclusion in Offender Record, Series 02982, when inmate file is inactivated		

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Justice and Public Safety  
Office of the Parole Board

Records Title		Function and Use	Contents	Retention		
Series	and Description			Disposition Instruction		
04481	Results of Preliminary Hearings - (Summary completed by Administrative Law Judges) (N) NA	This series documents the results of preliminary hearings and is prepared from tapes (Series 04480) by the Administrative Law Judge conducting the hearings. It contains findings of fact and the circumstances of alleged violations. Once the Results have been prepared and signed, a warrant (see series 04486) is issued by Board staff for the return of the parolee to the institution of record. Until the warrant is executed, the parolee is usually detained in the county jail. The Parole Board must conduct a final revocation hearing (series 04485) within 30 days of the parolee's return to prison on the warrant. In most cases, the decision of the Board is to revoke parole status, however, it can rule to reinstate the parole, defer and reconsider at a later date, or require inmate to serve out the entire sentence.	The series contains three sections. One is a findings section, one is a mitigation section and the last is a conclusions section. In addition, the series may contain parolee's name; date of hearing; time of hearing; date notice of hearing served; location of hearing; parole officer's name; name of law judge; attorney of record; list of allegations; and date paroled	Agency: 18 months  Destroy	Records Center: NA	Archives Center: NA
04482	Judge's Bench Docket (N) NA	This series was created to provide a daily account of the preliminary hearings schedules of the administrative law judges. Hearings are scheduled by administrative staff of the Board at the request of individual parole officers. Series also provides information for statistical reporting.	Series contains the date, time and place of preliminary hearings. May contain name of parolee	Agency: 1 year  Destroy	Records Center: NA	Archives Center: NA
04483	Parole Worksheet - (Results in creation of Parole Certificate) (N) NA	This series was created to document those inmates who have been recommended for parole by the Parole Board. It is completed at the parole hearing for each inmate granted parole. Information from the worksheet is used to record the action of the Board for inclusion in the official minutes of meetings. Parole Board staff maintain the worksheet until notified that the inmate has secured home and job placements. At that time, information from the series is used to create the Parole Certificate, the official record of parole status. The Offender Records Section, Department of Corrections, identifies those inmates who are eligible for parole. Approximately 800-850 parole hearings are held per month.	Series contains: date of Board meeting; date inmate is recommended for parole; inmate's name; institution; institution number; institution received into; date received; county of commitment; conviction(s); length of sentence; date(s) of parole and returned as parole violator (if applicable); stipulations set by the Board; names of Board members in attendance and their votes	Agency: Indefinite  Transfer to the Department of Corrections, Offender Records Section, for inclusion in Offender Record, Series 02982, when Parole Certificate is issued	Records Center: NA	Archives Center: NA

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Records Title		Function and Use	Contents	Retention		
Series	and Description			Disposition Instruction		
04484	Deferred/Serve Out Record (N) NA	This series was created to document recommendations of the Board as to whether an inmate's eligibility for parole should be deferred until a later date, or whether he/she should serve out the entire sentence. The record is divided into two sections. One for deferrals and one for serve outs. It is completed at the hearing and contains the amount of months action on parole will be deferred and the conditional release date, thus establishing a new parole eligibility date, and information regarding the decision of the Board to have the inmate serve out his time. Information from the series is used to create minutes of the Board.	Series contains: name of inmate; institution; institution number; date of hearing; name of secretary recording information; Parole Board members in attendance and their votes; reasons for deferment or serve out; date of conditional release (if served out); months of deferment (if deferred); recommendations of Board members or rehabilitation programs referred to	Agency: Indefinite	Records Center: NA	Archives Center: NA  Transfer to the Department of Corrections, Offender Records Section, for inclusion in the Offender Record, 02982, upon final disposition
04485	Results of Final Parole Revocation Hearing Record (N) NA	This series was created to document results of the Parole Board hearing on whether a parolee's parole status should be revoked. The hearing is held in the institution of record and is conducted within 30 days following admission of parole violations by the parolee, through waiver of a preliminary hearing, or as the result of a finding of probable cause at a preliminary hearing. Even though this hearing is referred to as the final revocation hearing, the Board may reinstate parole status, defer action to a later date, require the parolee to serve out his time, or see the inmate when eligible for parole on a new felony sentence.	Series contains: name of parolee; inmate number; Institution name; returned on; interviewed on; information regarding why final revocation hearing is being held; decision of the Parole Board; Parole Board action	Agency: Indefinite	Records Center: NA	Archives Center: NA  Transfer to the Department of Corrections, Offender Records Section, for inclusion in the Offender Record, 02982, upon notification of final action
04486	Warrant for Parole Violation (N) NA	This series is used to officially return a parole violator or suspected violator to the institution of record. It is initiated by Board staff upon receipt of the results of a preliminary hearing (04481) by the administrative law judge or on an affidavit declaring a parolee an absconder. Parolee is normally in custody at this point, detained in a county jail. The warrant ensures the return of the parolee to the proper institution. Information from the series is used by Parole Board staff to verify the conditions of arrest, should questions arise.	Series contains: Warrant number; date issued; parolee's name and institution number; county of conviction; convictions; date paroled; violations committed to promote issuance of warrant; last known address or place of present confinement; signature of Chairman of the Board; date warrant is signed	Agency: Indefinite	Records Center: NA	Archives Center: NA  Destroy upon execution of the warrant

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Records Title		Function and Use	Contents	Retention		
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04487	Subpoena (N) NA	This series documents actions of the Parole Board in regard to final revocation hearings or actions taken during a preliminary hearing to determine probable cause for violation of parole. Witnesses may be subpoenaed to provide testimony at a hearing to determine whether parole status should be revoked, or other action taken by the Board or to determine probable cause at a preliminary hearing. It may also be used to introduce evidence or other pertinent documents into the record.	Series contains: name of parolee; name and address of subpoenaed individual; location of hearing; date and time of hearing; establishment to appear before (i.e., Parole Board members or administrative law judge); documents being ordered to be presented; person requesting subpoena; signature of the Chairman of the Board; and certification that subpoena has been served	Agency: 6 months  Destroy	Records Center: NA	Archives Center: NA
04540	Hearing Tapes (Audio) - (Record of parole hearings) (N) NA Change Date: 9/14/1995	This series documents in recorded form hearings conducted to determine whether an inmate should be paroled. The hearings are conducted by three members of the Parole Board in the institution where the inmate is incarcerated. The proceedings of each hearing are taped by the Board members conducting the hearing for their use in the event the decision to parole is not unanimous. Unless the decision to parole is unanimous, the case is brought back to the full Board for a vote. A request for reconsideration by the inmate must occur within 21 days of the original hearing, as required in 501 KAR 1:030, Section (5). In this event, the taped proceedings of the hearing would be used in reviewing original decision not to parole.	In addition to the verbatim proceedings of the hearing, the tape will contain the location of the hearing, date, members present.	Agency: 6 months  Destroy or erase and reuse	Records Center: NA	Archives Center: NA